

**State of Montana**  
**Office of the Governor**



**Executive Order No. 21-04**

---

EXECUTIVE ORDER CONTINUING THE  
GOVERNOR'S HIV/AIDS ADVISORY COUNCIL

---

WHEREAS, the Human Immunodeficiency Virus (HIV), the virus that causes Acquired Immunodeficiency Syndrome (AIDS), claims a life in the United States every thirty-seven minutes, and is the fifth leading cause of death for men and women between the ages 25-44; and

WHEREAS, Montana State Government has a significant interest in protecting the public health; and

WHEREAS, Montana has both the opportunity and the obligation to provide a constructive response to this HIV epidemic; and

WHEREAS, such a response necessarily requires the commitment and resources of all levels of government coupled with a firm partnership with the private sector in order to effectively stem the spread of this disease; and

WHEREAS, the 1994 "Report to the Governor: Montana Responds to HIV/AIDS" and previous AIDS advisory councils have recommended the multiplicity of issues that transcend the singular responsibility of any one state agency; and



1 WHEREAS, the need for an advisory and leadership mechanism  
2 is critical for an effective and publicly supported response to  
3 a very serious public health issue.

4 NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of  
5 Montana, by the authority vested in me by Article VI, Section 4  
6 of the Montana Constitution, and Section 2-15-201, MCA, do  
7 hereby establish the Governor's HIV/AIDS Advisory Council.

8 I. PURPOSE

9 The Council shall provide the leadership required to  
10 recommend public policy to the Governor and Department Directors  
11 concerning the initiation, coordination, promotion,  
12 implementation and evaluation of services and activities that  
13 can effectively arrest the spread of the HIV infection and  
14 provide humane treatment for those that are or become infected;  
15 and

16 II. DUTIES

17 The Department of Public Health and Human Services shall  
18 organize a Statewide HIV Prevention Community Planning Group in  
19 accordance with the Centers for Disease Control's HIV Prevention  
20 Community Planning process guidance.

21 The Council shall meet regularly at the call of its Chair  
22 to seek information, discuss strategies to fulfill its purpose  
23 and act in its discretion to carry out the decisions it reaches.

24 III. COMPOSITION

25 The Council shall have no more than sixteen appointed  
26 members. The names and addresses of members who shall serve at  
27  
28



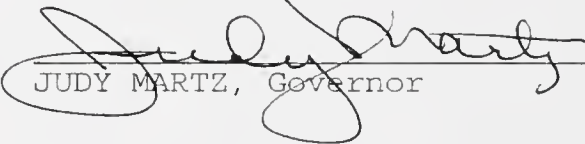
1 the pleasure of the Governor are submitted by separate letter to  
2 the Department of Public Health and Human Services and the  
3 Secretary of State. Staff support shall be provided by the  
4 Department of Public Health and Human Services.

5 IV. DURATION

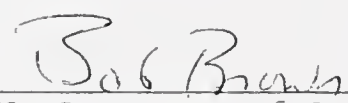
6 The Council shall exist for a period of two years from the  
7 effective date of this Order unless extended by subsequent  
8 Executive Order.

9 This Order is effective immediately.

10  
11  
12 GIVEN under my hand and the GREAT  
13 SEAL of the State of Montana, this  
14 16<sup>th</sup> day of December, 2004.

15   
16 JUDY MARTZ, Governor

17 ATTEST:

18   
19 BOB BROWN, Secretary of State  
20  
21  
22  
23  
24  
25  
26  
27  
28



**State of Montana**  
**Office of the Governor**



**Executive Order No. 20-04**

---

EXECUTIVE ORDER ESTABLISHING THE  
MONTANA 2-1-1 COMMUNITY COALITION

---

WHEREAS, the Federal Communications Commission of the United States of America has designated 211 to be used for access to community information and referral services; and

WHEREAS, a 2-1-1 multi-tiered plan to establish a system to facilitate the public's access to community, social service and disaster prevention and response information, public and community health information will make our state's communities safer, stronger and better prepared to respond to threats of domestic and international terrorism and domestic emergency situations of all natures; and

WHEREAS, establishing a coordinated system at a statewide level to facilitate the public's ability to access these vital services is a critical component of Montana's efforts to disseminate information and respond to critical incidents including those related to Montana's homeland security; and

WHEREAS, a fully integrated 2-1-1 system will allow the public and social service providers to access information about various social and health services through a single information





1 network by dialing 2-1-1 or accessing an Internet website  
2 housing a comprehensive database of resources statewide;

3 NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of  
4 Montana, by virtue of the authority vested in me by the Montana  
5 Constitution and laws of the State of Montana, hereby establish  
6 the Montana 2-1-1 Community Coalition.

7 I. PURPOSE

8 1. The purpose of the Montana 2-1-1 Community Coalition  
9 (hereinafter the "Coalition") is to serve in an  
10 advisory capacity as the lead state entity in the  
11 development of an implementation plan for a multi-  
12 tiered response and information plan in the State of  
13 Montana.

14 2. The Montana 2-1-1 Community Coalition shall develop an  
15 implementation plan for a statewide 2-1-1 system,  
16 including but not limited to:

17 a. Defining an oversight structure for the  
18 implementation of a statewide 2-1-1 service with  
19 the state's existing call center structure to  
20 ensure the prompt and efficient disseminations of  
21 information and referral by a highly trained  
22 personnel of a call center maintaining the  
23 standards of the Alliance of Information and  
24 Referral Systems;

25 b. Defining processes, protocols and policies to  
26 guide the implementation, management and ongoing  
27



1 operations of the state's 2-1-1 system;

2 c. Monitoring compliances with Alliance of  
3 Information and Referral Systems standards for  
4 the creation of the state's 2-1-1 system and its  
5 call center(s) operations;

6 d. Identifying and maximizing the leveraging of  
7 resources to establish and sustain the state's 2-  
8 1-1 system;

9 e. Easing the public's access to social service,  
10 health and safety information in times of  
11 emergency;

12 f. Integrating the 2-1-1 system with other public  
13 safety, homeland security and social service  
14 initiatives; and

15 g. Working with the Montana Public Service  
16 Commission and telecommunication providers to  
17 establish statewide 2-1-1 service that is free to  
18 the public.

19 3. The Montana 2-1-1 Community Coalition shall:

20 a. Meet at least quarterly;

21 b. Make recommendations about items detailed  
22 above to the Governor, including impact on  
23 select populations; and

24 c. Reach out to local communities regarding the  
25 state's 2-1-1 initiative.



1 I. COMPOSITION

2 The Montana 2-1-1 Community Coalition shall be comprised of  
3 up to twenty-five (25) members, including representatives from  
4 the respective areas set forth below, each of whom shall be  
5 appointed by the Governor, and serve, without compensation, at  
6 the pleasure of the Governor:

7 § County Government;

8 § United Way organization that currently funds a  
9 Information and Referral system;

10 § Community information and referral provider;

11 § Montana Department of Public Health and Human Services;

12 § Indian Health Service representative;

13 § Montana Coalition Against Domestic and Sexual Violence;

14 § Montana Department of Military Affairs, Disaster and  
15 Emergency Services;

16 § Tribal Government;

17 § Local or county law enforcement;

18 § Community organization that coordinates disaster relief  
19 delivery;

20 § Montana Public Service Commission;

21 § State or Local Area Agency on Aging; and

22 § Legislature

23 The Chair shall be elected by a majority vote of appointed  
24 members. The Chair shall have the power to convene the Montana  
25 2-1-1 Community Coalition and report on its activities and  
26 recommendations.



The Coalition is allocated to the Governor's Office for administrative purposes.

## II. DURATION

The Coalition shall exist for a period of two years from the effective date of this order.

This Order is effective immediately.

GIVEN under my hand and the GREAT  
SEAL of the State of Montana, this  
30<sup>th</sup> day of November, 2004.

JUDY MARTZ, Governor

ATTEST:

BOB BROWN, Secretary of State





342  
G1EO  
19-2004

State of Montana  
Office of the Governor

STATE DOCUMENTS COLLECTION



MAY 25 2006

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59620

Executive Order No. 19-04

---

EXECUTIVE ORDER ENDORSING THE APCO PROJECT 25 (P25)  
PUBLIC SAFETY RADIO STANDARD FOR THE STATE OF MONTANA

---

WHEREAS, the safety of the public safety responders of Montana is of paramount importance; and

WHEREAS, public safety communications provides a critical role protecting the lives and property of the citizens of Montana; and

WHEREAS, the State's public safety communications infrastructure is becoming outdated; and

WHEREAS, Federal agencies have adopted the APCO Project 25 standard which effects the ability of public safety communications systems to interoperate with one another, due to new technology and shifts in standards; and

WHEREAS, the effectiveness of public safety communications between jurisdictions to cooperate and coordinate voice and data information is critical to the mission of public safety; and



1           WHEREAS, the Statewide Interoperability Executive Council  
2           (SIEC) was created to provide policy level direction for matters  
3           related to planning, designing and implementing guidelines, best  
4           practices, and standard approaches to solve Montana's public  
5           safety communications interoperability problems and to leverage  
6           any opportunity in support of a statewide system, including  
7           seeking federal funding, or other funding, for statewide  
8           interoperability; and  
9

10           WHEREAS, the Project 25 Phase I (ANSI/TIA/EIA 102 series)  
11           standards are a direct result of a seven-year cooperative effort  
12           of a committee comprised of the Telecommunications Industry  
13           Association (TIA), the Association of Public Safety  
14           Communications Officials International, Inc. (APCO), the  
15           Telecommunications and Technology Professionals Serving State  
16           Government (NASTD), (formerly the National Association of State  
17           Telecommunication Officials), and numerous Federal agencies  
18           including the National Communications System (NCS), the  
19           Department of Treasury, the Department of Justice, the National  
20           Security Agency (NSA) and the National Telecommunication and  
21           Information Administration (NTIA); and  
22

23           WHEREAS, every aspect of Project 25 is designed to benefit  
24           public safety professionals who seek a new level of performance,  
25           efficiency, capabilities, and quality in two-way radio  
26           communications; and  
27  
28



1 WHEREAS, four key objectives guided the steering committee  
2 through this open process:  
3

- 4 1. Provide enhanced functionality with equipment and  
5 capabilities focused on public safety needs;
- 6 2. Improve spectrum efficiency;
- 7 3. Ensure competition among multiple vendors through  
8 Open Systems Architecture; and
- 9 4. Allow effective, efficient, and reliable intra-  
10 agency and inter-agency communications; and  
11

12 WHEREAS, the Statewide Interoperability Executive Council  
13 has adopted by formal action the APCO Project 25 standard to  
14 promote and enhance statewide interoperability; and  
15

16 WHEREAS, the Project 25 standard enables compliant radios  
17 to communicate in either digital mode with other P25 compliant  
18 radios or analog mode with existing analog radios; and  
19

20 WHEREAS, Project 25 systems can be maintained and upgraded  
21 cost effectively over the system's life cycle, thereby meeting  
22 user requirements, achieving interoperability, prompting  
23 committed manufacturers to provide compliant products, fostering  
24 competition, and achieving cost-effective solutions.  
25

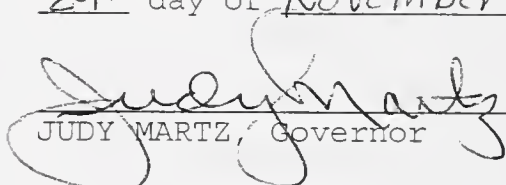
26 NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of  
27  
28



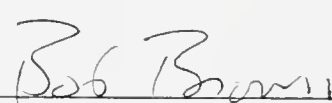
1 Montana, pursuant to the authority vested in me by the laws and  
2 Constitution of the State of Montana, do hereby require any  
3 State agency requiring digital voice communications to comply  
4 with the APCO P25 standards. State agencies are further  
5 directed to develop a migration plan for P25 public safety radio  
6 communications.

7  
8 This Order is effective immediately.  
9

10  
11 GIVEN under my hand and the GREAT  
12 SEAL of the State of Montana, this  
13 29<sup>th</sup> day of November, 2004.

14   
JUDY MARTZ, Governor

15  
16 ATTEST:

17   
18 BOB BROWN, Secretary of State  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28





**State of Montana**  
**Office of the Governor**



**Executive Order No. 18-04**

---

EXECUTIVE ORDER CONTINUING THE  
GOVERNOR'S ADVISORY COUNCIL ON DISABILITY

---

WHEREAS, the Americans with Disabilities Act (ADA) opens the doors of opportunity for Montana's citizens with disabilities to become employees, taxpayers and welcome participants in the operations of their state government; and

WHEREAS, these opportunities are contingent on equal access to employment, services, and information provided by state agencies; and

WHEREAS, effective compliance with the Americans with Disabilities Act by state government can serve as a model for employers and service providers throughout Montana; and

WHEREAS, the compliance of state agencies with the American with Disabilities Act will be coordinated by the Department of Administration and the Department's ADA Coordinator; and

WHEREAS, this compliance and coordination will be reinforced and enhanced through the participation and advice of concerned employees and citizens, including persons with disabilities.

NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of



1 Montana, by virtue of the authority vested in me under the laws  
2 of the State of Montana, do hereby continue the Governor's  
3 Advisory Council on Disability.

4 I. PURPOSE

5 The Advisory Council shall advise the Department of  
6 Administration, the ADA Coordinator and the Governor's Office on  
7 issues affecting the implementation of the Americans with  
8 Disabilities Act in State Government, including:

9 1. recommending steps to promote the proactive  
10 implementation of the Americans with Disabilities Act in  
11 Montana State Government with emphasis on both Title I and  
12 Title II;

13 2. recommending steps to promote the development of  
14 employment opportunities for Montanans with disabilities in  
15 state government agencies with the same terms, conditions  
16 and privileges of employment enjoyed by other state  
17 employees;

18 3. identifying specific problems affecting the access of  
19 people with disabilities to the programs, services,  
20 activities, and information provided by state agencies;

21 4. identifying specific problems affecting the  
22 opportunity for people with disabilities to actively  
23 participate in the operation of their government;

24 5. recommending steps to insure that state government  
25 provides a model for other Montana employers for compliance  
26 and implementation of the Americans with Disabilities Act;



1 and

2 6. sharing of the information with other employers and  
3 organizations, including the President's Committee on  
4 Employment of Persons with Disabilities, to promote the  
5 effective implementation of the Act throughout Montana.

6 II. COMPOSITION

7 The Governor shall appoint up to seven members to the  
8 Advisory Council. Additional non-voting, ex-officio members may  
9 be appointed as deemed necessary to represent other councils,  
10 committees or programs. At least four voting members must be  
11 individuals with disabilities. The membership must be drawn  
12 from consumers of state government services, associations or  
13 councils representing people with disabilities, and state  
14 employees. The names and addresses of members who shall serve  
15 at the pleasure of the Governor are submitted by separate letter  
16 to the Department of Administration and the Secretary of State.

17 The Chair and Vice Chair must be elected by a vote of the  
18 Advisory Council at the first meeting of the Council under this  
19 Executive Order.

20 The Department of Administration shall provide  
21 administrative support to the Advisory Council necessary to  
22 permit the Council to conduct quarterly meetings.

23 III. DUTIES

24 The Advisory Council shall meet no less than quarterly to  
25 be determined by the Council, in cooperation with the Department  
26 of Administration, to assure that the Council has adequate



1 opportunity to review the activities of the ADA Coordinator and  
2 provide appropriate advice.

3 Any number of voting members constitutes a quorum.  
4 Business may be conducted by a majority of the voting members  
5 present.

6 IV. COMPENSATION

7 Council members' expenses eligible for compensation under  
8 Section 2-15-122(5), MCA, shall be paid by the Department of  
9 Administration at the rate of \$25 for each day actually and  
10 necessarily engaged in the performance of Council duties. All  
11 members shall be reimbursed for travel expenses pursuant to 2-  
12 15-122(5), MCA.

13 V. DURATION


14 This Advisory Council remains in existence for a period of  
15 two years from the effective date of this order.

16 This Order is effective immediately.

17  
18  
19 GIVEN under my hand and the GREAT  
20 SEAL of the State of Montana, this  
21 24<sup>th</sup> day of November, 2004.

22   
JUDY MARTZ, Governor

23  
24  
25 ATTEST:

26   
27 BOB BROWN, Secretary of State





1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**State of Montana**  
**Office of the Governor**



**Executive Order No. 15-04**

---

EXECUTIVE ORDER CONTINUING THE MONTANA  
FAMILY SUPPORT SERVICES ADVISORY COUNCIL

---

WHEREAS, the Montana Legislature authorized the State of Montana to apply for funding to implement the state grant program for infants and toddlers with disabilities as initially established under the Education of Handicapped Act Amendments of 1986, PL 99-457, and later amended under its reauthorization in July, 1997, and is now known as the Individuals with Disabilities Education Act, PL 105-17; and

WHEREAS, the Disabilities Services Division of the Department of Public Health and Human Services has been designated the lead agency for early intervention and family support services provided for under Title 1, Part C of the Individuals with Disabilities Education Act (see Attachment A); and

WHEREAS, to be eligible for participation in the state grant program for infants and toddlers the Governor must appoint an Interagency Coordinating Council of at least 15 members to advise the Disabilities Services Division regarding issues of early intervention and family support in Montana; and



1           WHEREAS, the Family Support Services Advisory Council is  
2           the established Interagency Coordinating Council to advise the  
3           Disabilities Services Division regarding the State of Montana's  
4           intent to continue to implement a statewide, comprehensive,  
5           multi-disciplinary, coordinated program of early intervention  
6           and family support services for children aged birth to five,  
7           inclusive, and their families.

8           NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of  
9           Montana, by virtue of the authority vested in me pursuant to the  
10          constitution and laws of the State of Montana, do hereby  
11          continue the Montana Family Support Services Advisory Council.

12  
13           I.    PURPOSE

14          The Council shall carry out duties assigned pursuant to  
15          Public Law 105-17 and amendments thereto.

16  
17           II.   COMPOSITION

18          The Council shall consist of no more than 32 members. The  
19          names and addresses of members who shall serve at the pleasure  
20          of the Governor are submitted by separate letter to the  
21          Department of Public Health and Human Services and the Secretary  
22          of State.

23  
24           III. DURATION

25          This Council shall exist for a period of two years from the  
26          effective date of this Order unless otherwise rescinded or  
27          extended by subsequent executive order.



1 This Order is effective immediately.  
2  
3  
4

5 GIVEN under my hand and the  
6 GREAT SEAL of the State of  
7 Montana, this 22<sup>nd</sup> day of  
8 September, 2004.

9  
10 Judy Martz  
11 JUDY MARTZ, Governor

12 ATTEST:

13 Bob Brown  
14 BOB BROWN, Secretary of State  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

EOB # 11245  
SEP 22 2004



State of Montana  
Office of the Governor



STATE DOCUMENTS COLLECTION

APR 0 2004

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59601

Executive Order No. 7-04

---

EXECUTIVE ORDER AUTHORIZING THE TRANSFER OF THE MONTANA  
COOPERATIVE DEVELOPMENT CENTER FROM THE MONTANA  
DEPARTMENT OF AGRICULTURE TO THE MONTANA  
COOPERATIVE DEVELOPMENT CENTER, INC.

---

WHEREAS, the Montana Cooperative Development Center (MCDC)  
has been administered by Montana State University (MSU) through  
its MSU-Northern campus in Havre; and

WHEREAS, Montana's agriculture organizations, USDA-Rural  
Development, and Montana State University concur that MCDC's  
transfer to the Montana Department of Agriculture in Helena will  
enable continued service to the citizens of Montana through  
coordinated actions of all parties; and

WHEREAS, the MCDC has received biennial federal Rural  
Cooperative Development Grant (RCDG) funding awards in 2001 and  
2002, an annual award through the Lake County Community  
Development Corporation in 2003, and pre-applications for  
renewal of these awards are planned for 2004; and

WHEREAS, state sources of funding appropriated for MCDC  
will transfer to the Department of Agriculture during the same  
period, as Senate Bill 115 statutorily appropriates funds to the





1 center, which will provide necessary matching funds continuity  
2 for the MCDC; and

3 WHEREAS, the Montana Department of Agriculture and other  
4 interested parties advise that it is in the best interest to  
5 create the MCDC as a private non-profit corporation for the  
6 proper administration of MCDC programs.

7 NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of  
8 Montana, by virtue of the authority vested in me pursuant to  
9 the Constitution of the State of Montana, Title 2, Chapter 15,  
10 MCA, and under other applicable laws of the State of Montana, do  
11 hereby approve and direct the transfer of the Montana  
12 Cooperative Development Center from Montana Department of  
13 Agriculture to the Montana Cooperative Development Center, Inc.  
14 and do hereby approve and direct the Montana Department of  
15 Agriculture to enter into a contract with MCDC, Inc. to continue  
16 its operations and funding as provided by law.

17 This Order is effective April 1, 2004.

18  
19  
20 GIVEN under my hand and the GREAT  
21 SEAL of the State of Montana,  
22 this 31 day of Mar, 2004.

23 Judy Martz  
24 JUDY MARTZ, Governor

25 ATTEST:

26 Bob Brown  
27 BOB BROWN, Secretary of State



**State of Montana**  
**Office of the Governor**

STATE DOCUMENTS COLLECTION



APR 6 2004

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59601

**Executive Order No. 6-04**

---

EXECUTIVE ORDER CONTINUING THE UPPER CLARK FORK RIVER BASIN  
REMEDICATION AND RESTORATION EDUCATION ADVISORY COUNCIL

---

WHEREAS, the federal Comprehensive Environmental Response, Compensation, and Liability Act, as amended (CERCLA) and the Montana Comprehensive Environmental Cleanup and Responsibility Act (CECRA) allow states as trustees for natural resources to recover monetary damages for injuries to natural resources caused by releases of hazardous substances; and

WHEREAS, in 1983 the State of Montana, pursuant to its role as trustee, filed suit in federal court against the Atlantic Richfield Company (ARCO) alleging that the company is liable for injury to the natural resources of the Upper Clark Fork River Basin; and

WHEREAS, the Governor acts as the trustee for the State's natural resources and of any damages recovered to compensate the public for injuries to those resources as permitted under CERCLA; and

WHEREAS, in 1999 the U.S. District Court for the District of Montana approved a partial settlement of Montana v. ARCO that resulted in the State obtaining, among other awards,



1 approximately \$135 million in natural resource damages for some  
2 but not all of the State=s claims against ARCO; and

3 WHEREAS, local officials and citizens in the Upper Clark  
4 Fork River Basin desire the opportunity for input concerning how  
5 any monetary damages recovered by the State as a result of this  
6 lawsuit will be used and the opportunity to be informed  
7 regarding the State's continuing natural resource damage  
8 litigation against ARCO; and

9 WHEREAS, CERCLA requires that natural resource damages be  
10 used only to restore, replace, or acquire the equivalent of the  
11 injured natural resources that are the subject of the litigation  
12 (42 U.S.C. 9607 (f)(1)); and

13 WHEREAS, in addition to the ongoing litigation involving  
14 the Upper Clark Fork River, the Montana Department of  
15 Environmental Quality works with the U. S. Environmental  
16 Protection Agency under cooperative agreements that provide  
17 funding to the State and define state and federal agency roles  
18 for directing the remediation of various operable units within  
19 the Upper Clark Fork River Basin National Priority List sites,  
20 as authorized under CERCLA; and

21 WHEREAS, as a result of these interests of the public and  
22 State in natural resource damage and remediation issues, the  
23 first Upper Clark Fork River Basin Remediation and Restoration  
24 Education Advisory Council was created by executive order on  
25 April 23, 1998, and continued by subsequent executive orders.

26 NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of  
27  
28



1 Montana, pursuant to the authority vested in me by the laws and  
2 Constitution of the State of Montana, do hereby continue the  
3 Upper Clark Fork River Basin Remediation and Restoration  
4 Education Advisory Council (hereinafter the "Council") as  
5 provided in this Executive Order.

6 I. PURPOSE.

7 The purpose of the Council is to promote public  
8 understanding of the State's efforts to remediate and restore  
9 sites in the Upper Clark Fork River Basin that have been injured  
10 by hazardous substances for which ARCO is liable. To that end  
11 the Council shall establish a procedure for the sharing of  
12 information with the public and the various interested agencies,  
13 including the State's Natural Resource Damage and Superfund  
14 Programs.

15 Any advice provided to the Governor with respect to issues  
16 involving remediation and restoration efforts in the Upper Clark  
17 Fork River Basin, including the use of any funds that may be  
18 recovered from settlement or trial of litigation, shall be  
19 consistent with the requirement that such funds be used for  
20 restoration or replacement of the injured natural resources in  
21 accordance with a restoration plan prepared by the State of  
22 Montana as provided by law. Moreover, such advice will not be  
23 considered to the exclusion of input of other interested  
24 individuals or groups. The existence of the Council does not in  
25 any way diminish the powers of the Governor as trustee pursuant  
26  
27  
28





1 to CERCLA and CECRA. Nor is it intended to comment on the  
2 status of any pending litigation or related negotiations.

3 II. COMPOSITION.

4 The Council will consist of up to 13 voting members and up  
5 to 4 non-voting members representing a diversity of interests  
6 and expertise related to remediation and restoration in the  
7 Upper Clark Fork River Basin, as follows:

8 A. Citizen Voting Members. The Council will consist of  
9 citizen member(s), appointed by the Governor, who reside in  
10 Deer Lodge County, Granite County, Missoula County, Powell  
11 County and Silver Bow County ("Counties"), the counties  
12 which comprise the Upper Clark Fork River Basin. Each of  
13 the above Counties will have not less than one member and  
14 not more than three members appointed to the Council.

15 B. Federal and Tribal Government Voting Members. The  
16 Council will include a representative of the Confederated  
17 Salish & Kootenai Tribes, designated by the Tribal Chair;  
18 and a representative of the United States Department of the  
19 Interior, designated by the Secretary of the Interior.

20 C. State Government Non-Voting Members. The Council's  
21 non-voting members will include:

- 22 1. Director of the Department of Environmental  
23 Quality, or the Director's designee;
- 24 2. Director of the Department of Fish, Wildlife and  
25 Parks, or the Director's designee;



1                   3.     Director of the Department of Natural Resources  
2                   and Conservation, or the Director's designee; and

3                   4.     Restoration Program Chief of the Natural Resource  
4                   Damage Program or the Chief's designee.


5                   The Governor shall appoint a chair from among its members,  
6                   and the Natural Resource Damage Program will provide technical  
7                   and administrative support for the Council.

8                   The names of the Council members will be submitted by  
9                   separate letter to the Secretary of State.

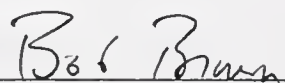
10                  III. DURATION.

11                  This Executive Order is effective immediately and shall  
12                  terminate on December 31, 2005, unless terminated earlier or  
13                  extended by subsequent Executive Order.

14  
15  
16                               GIVEN under my hand and the GREAT  
17                               SEAL of the State of Montana,  
18                               this 31<sup>st</sup> day of March, 2004.

19  
20  
21                                 
22                               JUDY MARTZ, Governor

23  
24  
25                   ATTEST:

26                                 
27                               \_\_\_\_\_  
28                   BOB BROWN, Secretary of State



**State of Montana**  
**Office of the Governor**

STATE DOCUMENTS COLLECTION



MAR 2 2004

MONTANA STATE LIBRARY  
1515 E. 6TH AVE  
HELENA, MONTANA 59601

**Executive Order No. 5-04**

---

EXECUTIVE ORDER CONTINUING THE  
MONTANA ABSTINENCE EDUCATION ADVISORY COUNCIL

---

WHEREAS, federal welfare reform legislation, Public Law 104-193, created a new Section 510 of Title V (Maternal and Child Health Block Grant) of the Social Security Act, establishing a separate program for abstinence education. The Department of Public Health and Human Services applied for and received funds to provide abstinence education in the State of Montana; and

WHEREAS, the Department of Public Health and Human Services is in partnership with parents, teens, educators and local communities, providing tools to encourage youth to postpone sexual activity until marriage; and

WHEREAS, youth collaboration is an important component to reaching Montana youth with the message of postponing sexual activity until marriage.

NOW, THEREFORE, I, JUDY MARTZ, Governor of the State of Montana, pursuant to the authority invested in me by the laws and Constitution of the State of Montana, do hereby continue the Montana Abstinence Education Advisory Council (Council).



1 I. PURPOSE

2 The purpose of the Council is to review program development  
3 and advise the Department of Public Health and Human Services,  
4 in collaboration with youth representatives as needed, on how to  
5 create a supportive environment for abstinence until marriage  
6 education throughout Montana.

7 II. COMPOSITION

8 The Council shall consist of not more than twenty-one  
9 members, appointed by the Governor, and representing a wide  
10 background from all parts of the state, including not more than  
11 four non-voting youth representatives. It is important that  
12 youth representatives be available to the Council for  
13 consultation and input to help reach the target population and  
14 mission.

15 The names and addresses of members who serve at the  
16 pleasure of the Governor are submitted by separate letter to the  
17 Secretary of State and the Department of Public Health and Human  
18 Services. A chair shall be appointed by the Governor.

19 The Council is attached to the Human and Community Services  
20 Division of the Department of Public Health and Human Services  
21 for administrative purposes.

22 III. COMPENSATION

23 Compensation to Council members shall be as provided by  
24 Section 2-15-122(5), MCA.

25 IV. DURATION

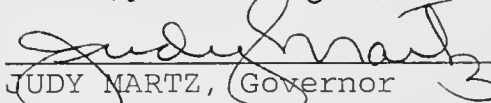
26 The Council shall exist for a period of two years from the  
27  
28



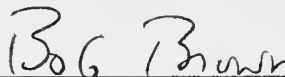


1 effective date of this order. This Order is effective  
2 immediately.  
3  
4  
5

6 GIVEN under my hand and the GREAT  
7 SEAL of the State of Montana,  
8 this 10<sup>th</sup> day of March, 2004.

9  
10  
11   
12 JUDY MARTZ, Governor

13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
ATTEST:

  
BOB BROWN, Secretary of State

